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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
David Stanard

Serial No.: 09/556,333

Date Filed: October 16, 2002

Title: System for Providing
Evidence of Payment

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Group Art Unit: 2876

Examiner: J.A. Franklin

Atty Docket No.: E30849CPA1

Commissioner for Patents
Washington, D.C. 20231

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Date

[Signature]
October 16, 2002

PRELIMINARY AMENDMENT

Dear Sir:

Please amend the above-referenced application as set forth below:

**AMENDMENTS
(VERSION WITH MARKINGS TO SHOW CHANGES MADE)**

Please amend the claims as follows:

1. (Twice Amended) A system for providing evidence of payment by a customer, the system comprising:
 - (a) a system for managing at least one database, said database containing information relating to an available event for which an authentic ticket is used for entry, wherein said system assigns a unique indicia which establishes the validity of the ticket;
 - (b) a system for creating a ticket containing said unique indicia for authentication the ticket associated With the event; and
 - (c) means for transmitting a ticket to a customer-selectable remote device, the ticket including venue information and the authenticating indicia for providing an authentic ticket permitting entry of the purchaser to the event.

2. (Twice Amended) A system providing tickets for a venue comprising:
- (a) a customer database arranged to contain information relating to customers of a system;
 - (b) a venue database containing information relating to venues serviced by the system,
wherein said information includes the number of seats available at the venue;
 - (c) a ticketing [system] database capable of accessing the customer database and venue database to uniquely associate an individual customer with a seat at an individual venue and capable of generating ticket information;
 - (d) a communications system for transmitting [this] ticket information to a customer-selected printer[the a customer such that the customer may print an authentic ticket at the customer location].
5. (Twice Amended) A system for providing tickets comprising:
- (a) [a server containing at least]a customer database [containing] arranged to include information relating to customers of the system;
 - (b) a venue database containing information relating to availability of tickets for gaining entry to an event;
 - (c) a ticketing system wherein said ticketing system is capable of accessing the customer database and venue database to uniquely associate an individual customer with an event at an individual venue and capable of generating ticket information[capable of accessing said customer database and said venue database and associating a particular customer in the customer database with a particular event in the venue database];
 - (d) means for conveying ticket information to the customer, whereby the customer may print the ticket on a [local] customer-selectable printer.

24. (New) A transferable ticket, printable by a purchasing customer at a customer-selectable printer for entry to an event, the ticket comprising:
printer paper and
ticket information applied to the printer paper
wherein the ticket information includes information in computer-readable form binding a particular seat to a particular customer assigned to the particular seat.
25. (New) A transferable ticket as in claim 24 wherein the computer-readable form comprises a two-dimensional bar code.
26. (New) A transferable ticket as in claim 24 wherein at least some information binding a particular seat to a particular customer is encrypted.
27. (New) A transferable ticket as in claim 24 wherein the purchasing customer is different from the particular customer assigned to the particular seat.
28. (New) A transferable ticket as in claim 24 wherein the purchasing customer is the particular customer assigned to the particular seat.
29. (New) A system for generating a ticket printable by a purchasing-customer at a customer-selectable printer for entry to an event, the system comprising:
a venue database
a customer database, and
a ticketing database interacting with the venue database and the customer database to generate ticket information in computer-readable form binding a particular seat to a particular customer assigned to the particular seat,

wherein the ticket information is printable at a purchasing-customer-selectable printer.

30. (New) A system as in claim 29 wherein the ticket is transferable.

31. (New) A system as in claim 29 wherein the computer-readable form comprises a two-dimensional bar code.

32. (New) A system as in claim 29 wherein at least some information binding a particular seat to a particular customer is encrypted.

33. (New) A system as in claim 29 wherein the purchasing customer is the particular customer assigned to the particular seat.

34. (New) A system as in claim 29 wherein the purchasing customer is different from the particular customer assigned to the particular seat.

35. (New) A system as in claim 34 wherein the computer-readable form comprises a two-dimensional bar code.

36. (New) A system as in claim 35 wherein at least some information binding a particular seat to a particular customer is encrypted.

REMARKS:

A Request for Continued Prosecution Application has been filed with this Preliminary Amendment.

The Features Relied Upon To Distinguish The References Are In The Claims:

In the final office action of the parent of the present application, dated September 17, 2002, the rejection stated:

[I]t is noted that the features upon which applicant relies, (i.e, tickets being purchased and delivered anywhere, anytime, on devices selected and controlled by the customer, not the seller) are not recited in the rejected claim(s).

The amendments presented in this document cure any such problems with the previously submitted claims. It should be noted that claim 17, as originally presented in the communication of May 3, 2002, did include such a limitation (specifically, "delivery information to a device controlled by the customer" in element (c)). Therefore, as argued in that communication, the claims as now amended distinguish over the cited references.

The New Claims Distinguish The Cited References:

New claims 24-36 are submitted to more fully claim the invention. The first, claim 24, focuses on the distinction that the cited references fail to disclose a ticket printed on common printer paper that can bind a seat to a customer, which is supported throughout the specification. Walker teaches that ticket problems stem from the possession of a ticket by a customer. The Walker system is designed to allow a purchaser to buy a conventional ticket, printed on controlled ticket stock, remote from the purchaser. The purchaser picks up the ticket at the event or a ticket reseller with a ticket code. In other words, Walker is a method and system to avoid the need for a customer to have

possession of the ticket before an event. Claim 24, on the other-hand, is limited to tickets that are printed on plain paper.

Claim 24 distinguishes Berson due to the limitation that the ticket include information binding a particular seat to a particular customer. Berson says that the printer prints information such as the purchaser's name, destination, flight, fare, etc." (Col. 3, lns. 52-60). However, Berson specifically states that seat information is applied by the validating system (Col. 4, lines 23-42). Other new claims that depend from claim 24 further distinguish by adding further limitations (for example, claim 26 describes an example in which the information binding the seat to the customer is encrypted).

New independent claim 29 also distinguishes the prior art by the customer selection of the printer. It is specifically limited to the example in which the "purchasing" customer selects the printer of the ticket and the ticket information includes information in computer-readable form binding a particular seat to a particular customer although not necessarily the purchasing customer (for example, when one person is purchasing a ticket for another). Again, such a feature is supported throughout the specification. Transferability of such a ticket is provided in the example of dependant claim 30. Such a combination of features is not seen alone or in any combination of the cited references.

As to the suggested combination of Walker and Berson, such a combination is inappropriate. First, a primary purpose of Walker, avoiding the need for a customer to obtain the specific ticket stock at the point of purchase, is destroyed by a combination of Berson, which provides for printing of an airline ticket at the point of purchase, although not under customer control of the printer as in the amended claims and not with information binding a seat to a customer. Second, even if the particular combination of features of the present claims could be found by picking and choosing from the cited references, it should not be forgotten that the references are addressed to different issues. Therefore, it is only with hindsight that they can be combined to address the specific issues addressed

by the present claims; there is no suggestion to combine the references to address the particular issues they fail to recognize. Therefore, the invention as presently claimed is not obvious in view of the cited references.

Accordingly, Applicant submits that the present claims are patentable. Prompt allowance is requested.

The Commissioner is hereby authorized to charge or credit Deposit Account No. 01-2511 for any additional filing fees required or overpaid.

Respectfully submitted,

Date: 10/16/02

By: Erik J. Osterrieder
Erik J. Osterrieder
Reg. No. 48,966
Arnold & Associates
2401 Fountain View Drive, Suite 630
Houston, TX 77057
Tel. (713) 972-1150
Fax (713) 972-1180
ATTORNEY FOR APPLICANT